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<b>SEND TO:</b>  UNITED STATES PATENT AND TRADEMARK OFFICE	<b>FROM:</b> <b>HAYWARD A. VERDUN, LLP</b> <b>609 ALDER AVE NE</b> <b>BAINBRIDGE ISLAND, WA 98110</b>
<b>ATTENTION:</b>	<b>OFFICE LOCATION:</b>
<b>OFFICE LOCATION: WASHINGTON, D.C.</b>	<b>DATE: 28 AUGUST 2003</b>
<b>FAX NUMBER: 703.308.6916</b>	<b>PHONE NUMBER: (206) 855-8697</b>

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TOTAL PAGES, INCLUDING COVER: 6

RESPECTFULLY,

HAYWARD A. VERDUN  
REGISTRATION NO. 43,223

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ATTORNEY DOCKET NO.: QUEST-1100

Application No.: 09/713,415

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**In re Application of:**

Phillip D. Bondurant et al

**Application No.: 09 / 713,415**

**Filed: 11/15/2000**

**For: Method and Apparatus for In Situ Inspection of Reformer Tube**

**Group Art Unit: 2877**

**Examiner: PHAM, HOA Q.**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

### RESTRICTION REQUIREMENT ELECTION

In response to the Office Action dated 09/20/2002 (Paper No. 4), please make the following election:

Please elect species No. I, claims 1-12 and 29-31.

### Cancel Claims

**Please cancel claims to species II and II, claims 13-28.**

## REMARKS

A petition pursuant to 37 CFR § 1.137(b) to revive and unintentionally abandoned application is being submitted concurrently, herewith.

ATTORNEY DOCKET NO.: QUEST-1100

Application No.: 09/713,415

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**Conclusions**

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Respectfully submitted,

**Hayward A. Verdun, LLP**

By: \_\_\_\_\_

Hayward A. Verdun

Reg. No. 43,223

Dated: December 28, 2003

Hayward A. Verdun, LLP  
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PTO/SB/64 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

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First named inventor: Phillip D. Bondurant

Application No.: 09 / 713,415

Art Unit 2877

Filed: 11/15/2000

Examiner: Pham, Hoa Q

Title: Method and Apparatus for In Situ Inspection of Reformer Tubes

Attention: Office of Petitions  
**Mail Stop Petition**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
 Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☒ Small entity-fee \$ \$650.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in

the form of an election and amendment (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_
- ☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

05/05/2004 LWONDIM1 00000068 09713415

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## 3. Terminal disclaimer with disclaimer fee

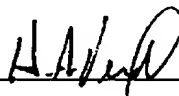
- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

12/28/2003

Date



Signature

Telephone  
Number: 206.855.8697 / 206.396.8683

Hayward A. Verdun

Typed or printed name

609 Alder Ave NE, Suite 1000

Address

Bainbridge Island, WA 98110

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Amendment / Restriction Election

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

12/28/2003

Date



Signature

Hayward A. Verdun

Type or printed name of person signing certificate

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